

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

KEVIN WAYNE EALEY, #L5161

PLAINTIFF

VS.

CIVIL ACTION NO. 5:08-cv-256-DCB-MTP

CHRISTOPHER EPPS, et al.

DEFENDANTS

FINAL JUDGMENT

This cause is before the Court on Magistrate Judge Michael T. Parker's Report and Recommendation [**docket entry 13**], wherein Judge Parker recommends that Kevin Wayne Ealey's petition [**docket entry no. 1**], brought pursuant to 28 U.S.C. § 2254, be dismissed with prejudice as untimely. The Court has adopted in full said Report and Recommendation over the Objection of the plaintiff following a de novo review of those portions of the Report and Recommendation to which the plaintiff objected. Accordingly,

IT IS HEREBY ORDERED AND ADJUDGED that Kevin Wayne Ealey's petition [**docket entry no. 1**], brought pursuant to 28 U.S.C. § 2254, is **DISMISSED WITH PREJUDICE**.

SO ORDERED AND ADJUDGED, this the 22nd day of July 2009.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE